IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1670 of 2007()

CC.1012/2004 of J.M.F.C.-I,PATHANAMTHITTA
.....

ACCUSED

SAJI P.CHACKO, S/O P.M.CHACKO,
PALLITHAZHE HOUSE, ANIKKADU,
KOTTAYAM DISTRICT.

BY ADV. SRI.TITUS MANI
SRI.S.SURAJ (PALATHANATHU)

RESPONDENTS: COMPLAINANT

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1670/2007

Dated this 20th day of March, 2007

O R D E R

The petitioner, who is the accused in C.C.No.1012/2004 on the file of the J.F.C.M-I, Pathanamthitta for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, in respect of a cheque for Rs.2,50,000/-, seeks anticipatory bail.

2. Consequent on the non appearance of the petitioner before the Magistrate, from the stage of examination under Section 313(1)(b) of Cr.P.C., non bailable warrants of arrest are pending against the petitioner.

3. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail.

4. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two

weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after examining the explanation offered by the petitioner for his previous non appearance.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs